IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 7861 of 2007

DATED: 17.4.2007

Between:

G.Venkateswarlu petitioner

And

APSRTC,
Rep by its Regional Manager
Guntur region, Guntur & ors Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 7861 OF 2007

ORAL ORDER:

This writ petition is filed questioning the proceedings dated 3.3.2005 in so far as imposing the punishment of reduction of pay by two incremental stages for a period of two years with cumulative effect and to treat the period from the date of removal till reporting to duty as "not on duty".

The petitioner is employed in the respondent corporation as Driver. While so, he was issued with a charge sheet dated 11.6.2004 alleging rash and negligent driving resulting in an accident on 5.6.2004. The petitioner submitted his explanation dated 19.6.2004 denying the charges. Having not satisfied with the same, an enquiry was ordered and the enquiry officer submitted a report dated 13.9.2004 holding the charges leveled against the petitioner as proved. Based on the enquiry report, the petitioner was removed from service by proceedings dated 16.10.2004. Aggrieved by the said removal order, petitioner submitted an appeal and the appellate authority on consideration of the matter by order dated 3.3.2005 directed reinstatement of the petitioner and imposed the penalty of reduction of pay by two incremental stages for a period of two years and to treat the out of service period as "not on duty". Hence, the present writ petition.

The learned counsel for petitioner submitted that the Appellate Authority while reinstating the petitioner into service, erred in imposing

the punishment of reduction of pay by two incremental stages for a period of two years with cumulative effect. It is also stated that as against the orders of the appellate authority dated 3.3.2005, the petitioner has submitted a review application dated 24.1.2007 and the same is pending.

Heard learned counsel for petitioner and learned standing counsel for respondent corporation. Both counsel agreed for disposal of the writ petition at the admission stage with a direction to dispose of the review application expeditiously.

Since a review application filed by the petitioner is pending, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition, directing the first respondent-Regional Manager to consider and dispose of the review application of the petitioner expeditiously, preferably within a period of three months from the date of receipt of copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 17.4.2007
TVK

THE HON'BLE MR JUSTICE N.V. RAMANA

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